

DARRYL P. RAINS (CA SBN 104802)
SUNIL R. KULKARNI (CA SBN 186723)
ELIZABETH J. MILES (CA SBN 240075)
DRains@mofo.com
MORRISON & FOERSTER LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: 650.813.5600
Facsimile: 650.494.0792

Attorneys for Defendants Richard S. Hill, Jeffery C. Benzing,
D. James Guzy, Glen G. Possley, J. David Litster, Tom Long,
Robert H. Smith, William R. Spivey, Neil R. Bonke, Youssef A.
El-Mansy, Yoshio Nishi, Ann D. Rhoads, William H. Kurtz,
Delbert A. Whitaker, and Novellus Systems, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

E-FILED - 1/19/07

IN RE NOVELLUS SYSTEMS, INC.
DERIVATIVE LITIGATION,

Master File No. CV 06-03514-RMW

DERIVATIVE ACTION

This Document Relates To:

ALL ACTIONS.

**STIPULATION AND
[] ORDER
RESETTING BRIEFING
SCHEDULE FOR MOTIONS TO
DISMISS AND RESETTING
CASE MANAGEMENT
CONFERENCE**

WHEREAS, on December 8, 2006, lead plaintiff Alaska Electrical Pension Fund filed its Consolidated Complaint;

WHEREAS, the parties have met and conferred and agreed to the following as further explained in the accompanying Declaration of Sunil R. Kulkarni;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, under Local Rule 6-2, by and between the undersigned counsel for plaintiff and defendants, subject to the approval of the Court, as follows:

1 1. The unredacted consolidated complaint filed by plaintiff on December 8, 2006
2 (Docket No. 47 is the redacted version) shall be the operative complaint;

3 2. The Court need not address plaintiff's November 8, 2006 Administrative Motion
4 to Enlarge Time for Filing the Consolidated Complaint (Docket No. 35);

5 3. The Court need not address the parties' December 22, 2006 Stipulation and
6 [Proposed] Order Resetting Schedule for Briefing Motion to Dismiss (Docket No. 50);

7 4. Defendants shall file their answer or responses to the Consolidated Complaint on
8 or before January 19, 2007;

9 5. Plaintiff shall file its oppositions to defendants' responsive pleadings on or before
10 February 22, 2007;

11 6. Defendants shall file their replies on or before March 9, 2007; and

12 7. The hearing date shall be set for March 23, 2007, at 9:00 a.m.

13 8. The case management conference that is currently scheduled for January 26, 2007,
14 at 9:00 a.m., shall be rescheduled for March 23, 2007, at 10:30 a.m.

15 IT IS SO STIPULATED.

16 Dated: January 12, 2007

DARRYL P. RAINS
SUNIL R. KULKARNI
ELIZABETH J. MILES
MORRISON & FOERSTER LLP

19
20 By: /s/ Sunil R. Kulkarni

SUNIL R. KULKARNI

21 Attorneys for Defendants

22 Richard S. Hill, Jeffery C. Benzing, D. James
23 Guzy, Glen G. Possley, J. David Litster, Tom
24 Long, Robert H. Smith, William R. Spivey,
25 Neil R. Bonke, Youssef A. El-Mansy, Yoshio
26 Nishi, Ann D. Rhoads, William H. Kurtz,
27 Delbert A. Whitaker, and Novellus Systems,
28 Inc.

1 Dated: January 12, 2007

SHAWN A. WILLIAMS
LERACH COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP

2
3
4 By: /s/ Shawn A. Williams

SHAWN A. WILLIAMS

5 Attorneys for Plaintiff

6
7 Dated: January 12, 2007

BETSY C. MANIFOLD
WOLF HALDENSTEIN ADLER
FREEMAN & HERZ LLP

8
9
10 By: /s/ Betsy C. Manifold

BETSY C. MANIFOLD

11 Attorneys for Plaintiff

12
13
14 **ATTESTATION**

15
16 I, Sunil R. Kulkarni, am the ECF user whose identification and password are being used to
17 file this STIPULATION AND [PROPOSED] ORDER RESETTING BRIEFING SCHEDULE
18 FOR MOTIONS TO DISMISS AND RESETTING CASE MANAGEMENT CONFERENCE

19 Pursuant to General Order 45, X.B., I hereby attest that Shawn A. Williams of Lerach
20 Coughlin Stoia Geller Rudman & Robbins LLP and Betsy C. Manifold of Wolf Haldenstein
21 Adler Freeman & Herz LLP, counsel for plaintiff, have concurred in this filing.

22 Dated: January 12, 2007

23
24 By: /s/ Sunil R. Kulkarni

SUNIL R. KULKARNI

ORDER

PURSUANT TO THE STIPULATION, IT IS SO ORDERED

Dated: 1/19/07

By: *Ronald M. Whyte*
THE HONORABLE RONALD W. WHYTE
United States District Judge